

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

WESTERN DIVISION

UNITED STATES OF AMERICA,	)	CR. 08-50141-AWB
	)	
Plaintiff,	)	
	)	
vs.	)	<b>ORDER GRANTING</b>
	)	<b>FIRST MOTION TO</b>
SAMUEL PATRICK O'ROURKE,	)	<b>CONTINUE</b>
	)	
Defendant.	)	

Defendant moves for a continuance in the above-captioned case. Docket 12. Defendant seeks this continuance to provide time to investigate the case and prepare for trial. The Government does not oppose this motion. The Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendant in a speedy trial. Based on the foregoing, it is therefore

ORDERED that Defendant's motion is granted. The following deadlines shall apply:

Discovery motions	February 23, 2009
Suppression/voluntariness motions	March 24, 2009
Responses to motions due	Within five days after motion is filed
Subpoenas for suppression hearing	March 24, 2009
Suppression/voluntariness hearing before Magistrate Judge Veronica Duffy	If necessary, shall be held before April 7, 2009

Applications for Writ of Habeas Corpus Ad Testificandum	April 14, 2009
Other motions	April 21, 2009
Responses to motions due	Within five days after motion is filed
Subpoenas for trial	April 21, 2009
Plea agreement or petition to plead and statement of factual basis	April 21, 2009
Notify court of status of case	April 21, 2009
Motions in limine	April 28, 2009
Proposed jury instructions due	April 28, 2009
Jury trial	Tuesday, May 5, 2009, at 9 a.m.

The period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense must commence. 18 U.S.C. § 3161(h)(8)(A).

All other provisions of the court's standing order remain in effect unless specifically changed herein.

Dated February 9, 2009.

BY THE COURT:

/s/ Andrew W. Bogue

ANDREW W. BOGUE  
SENIOR DISTRICT JUDGE